

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, January 24, 2018, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Resolution No. 2017-74

RESOLUTION DETERMINING THE COUNTY OF KAUAI FUEL TAX RATE AND REPEALING RESOLUTION NO. 2013-47, DRAFT 3

In accordance with Hawai'i Revised Statutes (HRS) Section 243-5, as amended, and Section 5-1.1, Kaua'i County Code 1987, as amended, the purpose of this resolution is to repeal Resolution No. 2013-47, Draft 3, and to decrease the County fuel tax levied and collected from seventeen cents (17¢) per gallon to thirteen cents (13¢) per gallon of liquid fuel effective January 1, 2019. Upon the expiration of the County of Kaua'i surcharge on state tax, the County fuel tax levied and collected shall be increased by four cents (4¢) per gallon of liquid fuel.

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of the Resolution are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Resolution at its subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Resolution No. 2017-74 which on first reading was ordered to print by the Council of the County of Kaua'i at its meeting held on December 20, 2017, by the following vote:

AYES: Brun, Chock, Kagawa, Kaneshiro, Kawakami, Yukimura	TOTAL – 6,
NOES: None	TOTAL – 0,
EXCUSED & NOT VOTING: Rapozo	TOTAL – 1,
RECUSED & NOT VOTING: None	TOTAL – 0.

Līhu'e, Hawai'i
December 21, 2017

/s/ Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHU'E, KAUAI, HAWAII, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

(One publication – The Garden Island – January 3, 2018 and January 10, 2018)

COUNTY COUNCIL
COUNTY OF KAUAI

Resolution No. 2017-74

**RESOLUTION DETERMINING THE
COUNTY OF KAUAI FUEL TAX RATE AND
REPEALING RESOLUTION NO. 2013-47, DRAFT 3**

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

WHEREAS, the purpose of this Resolution is to ensure the long-term viability of county roads, and ensure that the County has a road system good enough to serve the needs of a growing economy; and

WHEREAS, fuel and vehicle weight taxes and registration fees are deposited into the County's Highway Fund and have been a source of funding for roadway maintenance; and

WHEREAS, pursuant to Act 001, Session Laws of Hawai'i, First Special Session of 2017, the State Legislature extended the opportunity for each county with a population equal to or less than five hundred thousand to adopt a surcharge on state tax ("surcharge") before March 31, 2018; and

WHEREAS, pursuant to Hawai'i Revised Statutes Section 46-16.8(d), funds derived from the surcharge shall be expended on (1) operating or capital costs of public transportation within each county for public transportation systems, including public roadways or highways, public buses, trains, ferries, pedestrian paths or sidewalks, or bicycle paths; and (2) expenses in complying with the Americans with Disabilities Act of 1990 with respect to paragraph (1); and

WHEREAS, the County Administration has identified approximately \$346,861,000 in roadway and bridge maintenance projects to be funded with revenues derived from the surcharge, which will lessen the burden on residents to contribute the County's Highway Fund; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. The County of Kauai fuel tax per gallon of liquid fuel, authorized by Chapter 243, Hawaii Revised Statutes (HRS), as amended, is thirteen cents (13¢) per gallon of liquid fuel and zero cents (0¢) per gallon of biodiesel.

The fuel tax shall be increased by four cents (4¢) per gallon of liquid fuel upon the expiration of the County of Kauai's one-half percent surcharge on state tax.

SECTION 2. Chapter 243, HRS, as amended, requires that the County of Kauai fuel tax be set by resolution.

SECTION 3. Resolution No. 2013-47, Draft 3, is hereby repealed.

SECTION 4. Copies of this Resolution shall be transmitted to the Mayor, Director of Finance, and the Director of Taxation of the State of Hawaii.

SECTION 5. This Resolution shall take effect on January 1, 2019, concurrent with the implementation of the County of Kauai one-half percent surcharge on state tax.

Introduced by:



DEREK S.K. KAWAKAMI

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	Aye	May	Excused	Refused
Brun				
Chock				
Kagawa				
Kaneshiro				
Kawakami				
Rapoza				
Pukimura				
Total				

Certificate Of Adoption

We hereby certify that Resolution No. _____ was adopted by the Council of the County of Kauai, State of Hawaii, Lihu'e, Kauai, Hawaii, on _____.

County Clerk
Dated

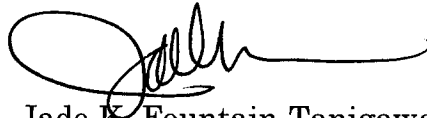
Chairman & Presiding Officer

CERTIFICATE OF THE COUNTY CLERK

I hereby certify, that on December 20, 2017, the Council of the County of Kaua'i entertained a motion to schedule a Public Hearing on Resolution No. 2017-74 for January 24, 2017, and thereafter refer said Resolution to the Budget & Finance Committee, by the following vote:

FOR MOTION:	Brun, Chock, Kagawa, Kaneshiro, Kawakami, Yukimura	TOTAL – 6,
AGAINST MOTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapozo	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Līhu'e, Hawai'i
December 21, 2017



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i